IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
SPRING ER, LLC,	§	**Case No. 11-30609-H4-11**
	§	**(Chapter 11)**
Debtor.	§	

TRUSTEE'S MOTION TO CONVERT CASE TO CHAPTER 7

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

To the Honorable Jeff Bohm,
United States Bankruptcy Judge:

Randy W. Williams, chapter 11 trustee for Spring ER, LLC (the "Trustee") files this motion to convert this case to a case under chapter 7.

Summary of the Motion

1. The Trustee seeks an order converting this voluntary chapter 11 case to a chapter 7 case. Based on the current known situation, the Debtor has no legitimate prospects for reorganization, would not be able to confirm a chapter 11 plan and should be liquidated under chapter 7.

Background

2. The Debtor filed this case on an emergency basis on Friday, January 21, 2011. The Court appointed the Trustee as the chapter 11 trustee in the case by Order dated January 21, 2011. No schedules or statement of financial affairs have been filed and no committee of unsecured creditors has been formed.

3. The Trustee is familiar with the Debtor's operations due to the relationship between the Debtor and Quality Infusion Care, Inc. (Case No. 10-36675-H4-7). Shortly after his appointment on January 21, the Trustee closed all operations due to the lack of funds to meet the Debtor's current payroll obligations. No ongoing operations exist.

Request for Conversion

4. Under § 1106, the Trustee is required to investigate the Debtor's acts, assets, liabilities and financial condition. If appropriate, the Trustee should recommend conversion of the case to a chapter 7 case. 11 U.S.C. § 1106(a)(5). The Court may convert a chapter 11 case to a chapter 7 case for "cause," including (i) the continuing loss to or diminution of the estate and the absence of a reasonable likelihood of rehabilitation; and (ii) the inability to effectuate a plan. 11 U.S.C. § 1112(b).

5. The Trustee requests that this case be converted to a chapter 7 case. The Debtor does not have any ongoing operations and does not have sufficient cash resources to meet its ongoing obligations. The Debtor lacks sufficient management. A confirmable plan cannot be proposed. Even if a liquidating plan could be confirmed, no benefit is realized from a liquidating chapter 11 plan versus a chapter 7 under the circumstances present in this case. Consequently, the Trustee has determined that the prompt conversion of this case is in the best interest of the estate and its creditors.

6. Prior to filing this motion, the Trustee conferred with a majority of the Debtor's pre-petition secured lenders and the Office of the United States Trustee. Based on these discussions, the Trustee believes that none of these parties will oppose the Trustee's motion.

Accordingly, the Trustee requests that the Court convert this case to a case under chapter 7 and grant such other relief as is just.

Dated: January 25, 2011.

Respectfully submitted,

Porter & Hedges, L.L.P.

By: ______________________ ECF

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Chapter 11 Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was duly served by United States first class mail to all parties listed on the attached Service List[1] and by electronic transmission to all registered ECF users appearing in the case on January 25, 2011.

______________________ ECF
David R. Jones

[1] The Trustee has used the Service List for Quality Infusion Care, Inc. (Case No. 10-36675-H4-7) as a list of creditors in this case does not yet exist and significant creditor relationships between the two cases.

Service List

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Law Offices of Daniel B. Nelson
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Compass Bank
c/o Jackson Walker L.L.P.
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Houston, TX 77010

Green Bank
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111 Congress Avenue, Suite 1400
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Quality Infusion Care, Inc.
6300 Richmond Avenue, Suite 333
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Republic Bank, Inc.
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San Felipe East, LLC
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Varilease Finance, Inc.
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